

SENATE BILL 517

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 43
and Title 55, relative to farm-related service
industries.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 50, Part 4, is amended by
adding the following as a new section:

(a) The commissioner may issue a farm-related service industry employee
restricted commercial driver license to a person who:

(1) Is an employee of:

- (A) An agri-chemical business;
- (B) A custom harvester;
- (C) A farm retail outlet or supplier; or
- (D) A livestock feeder;

(2) Satisfies all of the requirements for issuance of a commercial driver
license under this chapter other than the written and driving test requirement in §
55-50-404(b);

(3) Holds a valid driver license;

(4) Has at least one (1) year of driving experience as a licensed driver;

and

(5) Has a good driving history, as defined in subsection (b), for:

(A) The person's entire driving history, if the person only has
between one (1) and two (2) years of driving experience as a licensed
driver; or

(B) The two (2) most recent years of the person's driving history, if the person has more than two (2) years of driving experience as a licensed driver.

(b) For purposes of subdivision (a)(5), a person has a good driving history, if the person has not:

- (1) Had more than one (1) driver license;
- (2) Had any driver license suspended, revoked, or canceled;
- (3) Been convicted of any offense or serious traffic violation that is a disqualifying offense or violation under § 55-50-405(g);
- (4) Been convicted of any law or ordinance relating to motor vehicle traffic control, other than a parking violation, arising in connection with any traffic accident; or
- (5) Been at fault in a motor vehicle accident.

(c) A farm-related service industry employee restricted commercial driver license entitles the licensee to operate commercial motor vehicles other than Class A vehicles.

(d) A farm-related service industry employee restricted commercial driver license authorizes operation of a commercial motor vehicle only during the seasonal period or periods prescribed by the commissioner and stated on the license; provided, that the total number of calendar days in any twelve-month period for which the farm-related service industry employee restricted commercial driver license authorizes operation of a commercial motor vehicle must not exceed one hundred eighty (180) days. A farm-related service industry employee restricted commercial driver license is valid for operation of a commercial motor vehicle during the seasonal period or periods for which it has been validated and must be revalidated annually by the department for each successive seasonal period or periods for which commercial vehicle operation is sought. A farm-related service industry employee restricted commercial driver license authorizes

operation of noncommercial motor vehicles at any time, unless it has been suspended, revoked, or canceled, or has expired.

(e) A farm-related service industry employee restricted commercial driver license does not authorize operation of a commercial motor vehicle during any period when the licensee is not employed by an entity described in subdivision (a)(1), nor if when operation of the commercial motor vehicle is not directly related to the licensee's employment.

(f) A farm-related service industry employee restricted commercial driver license does not authorize the licensee to operate any vehicle transporting hazardous materials, except that a licensee may drive a vehicle transporting:

- (1) Diesel fuel in quantities of one thousand gallons (1,000 gals.), or less;
- (2) Liquid fertilizers in a vehicle or implement of husbandry with a total capacity of three thousand gallons (3,000 gals.) or less; or
- (3) Solid fertilizers that are not transported with any organic substance.

(g) A farm-related service industry employee restricted commercial driver license authorizes the operation of a commercial motor vehicle only within one hundred fifty miles (150 mi.) of the place of business of the licensee's employer or the farm being served.

(h) A person may not be the holder of a farm-related service industry employee restricted commercial driver license and an unrestricted commercial driver license at the same time.

SECTION 2. The commissioner of safety is authorized to promulgate rules to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2019, the public welfare requiring it.